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Before the
Federal Communications Commission
Washington, D.C. 20554

MM-Docket No. 93-316

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In the Matter of

Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Douglas and Unionville, Georgia)

RM-8403

COMMENTS

Clyde Scott, Jr., D/B/A, E.M.E. Communications, offers the following COMMENTS in the above captioned rule making proposal.

The FCC now has before it, a petition for rule making filed by Orchon Media, Inc. ("petitioner"), Holder of a construction permit for station WKZZ(FM), Channel 223A, Douglas, Georgia, requesting the reallocation of channel 223A from Douglas to Unionville, Georgia. Orchon Media, Inc. also ask for a modification of the construction permit to specify Unionville as it's community of license, and change the class of facility from A to C3.

In it's Notice Of Proposed Rule Making, released on January, 4, 1994, Paragraph 3, The Commission states that petitioner should present the Commission with sufficient information to demonstrate the Unionville has social, economic, cultural, and governmental indicia to qualify as a "community" for allotment purposes. I personally have tried to locate Unionville and have been unable to do so. There are no city limit signs to indicate Unionville, nor are there any identification markings of any kind. There are no provisions in the Tift County phone book indicating that a specific number is in Unionville.

Enclosed are two (2) letters from Tift County leaders, and both indicate that Unionville, Georgia really does not exist. Exhibit-A is a letter from the Tift County county manager and exhibit-B is a letter from the Tifton, Georgia Postmaster.

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This petition is an obvious attempt to move this facility to the more populated area of Tifton, Georgia and not in the interest of the people of Unionville, Therefore, This petition should be denied.

In its Notice Of Proposed Rule Making, paragraph 5, the commission ask petitioner to provide information to indicate the number of reception services which are now available within the population gain and loss areas. Attached are two plots that show the proposed WKZZ 223C3 and 223A 70 dB/u contours. Exhibit-1 shows the proposed 223C3 city grade (3.16 mV/m) contour and all other facilities that have overlapping city grade contours. Exhibit-2 indicates the present 223A city grade contour and all facilities which overlap.

The stations within these contours are:

WKZZ 223A - Douglas

Proposed 223C3 - Unionville

WOKA(FM) - Douglas, Ga.
WDMG - Douglas, Ga.
WULS - Broxton, Ga.
WWFP - Pearson, Ga.
WBYZ - Baxley, Ga.

WKAA - Ocilla, Ga.
WLPF - Ocilla, Ga.
WOKA - Douglas, Ga.
WRDO - Fitzgerald, Ga.
WJYF - Nashville, Ga.
WMTM - Moultrie, Ga.
WGPC - Albany, GA.
WSGY - Tifton, Ga.
WFFM - Ashburn, Ga.
WTIFFM - Omega, Ga.

There are two AM stations in each market which are not plotted. These stations are WTIF & WWGS, both located in Tifton, Ga. and WDMG & WOKA, Douglas, Ga.

These plots show a larger need to keep channel 223 in Douglas where the lowest number of services exist, not move to Unionville where a total of 10 FM services will overlap 70 dB/u contours. On this fact alone, The Commission should deny the above mentioned petition.

CONCLUSION

Orchon Media, Inc. has made an obvious attempt to abandon it's original city of license, a city which the petitioner has ask the commission if it could serve by virtue of it's application and granted construction permit, for the more lucrative city of Tifton, Georgia. The petitioner has attempted to use the Commis-sions census criteria for allotment purposes and has no intintion of serving the people of "Unionville", a place that does not exist. In consideration of this petition, it is obvious that Orchon Media had no intention of serving the people of Douglas, Georgia when it submitted it's original application for construction permit.

In consideration of the above mentioned facts, the Commission should deny the petition of Orchon Media, Inc.

Respectfully:



Clyde Scott, Jr.
EME Communications
293 JC Saunders Road
Moultrie, Ga. 31768
(912)-890-2506
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Board of Commissioners

Tift County

Room 204, County Administrative Bldg.
P.O. Box 826 - Tifton, Georgia 31793
Telephone 912/386-7850

COMMISSIONERS

CHARLES KENT, Chairman
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HUNTER WALKER, County Manager
IMOGENE REGISTER, Clerk
MARGARET CARTER, Deputy Clerk

MEMORANDUM

TO: Whom It Concerns

FROM: Hunter Walker, County Manager *HW*

SUBJECT: Unionville Community

DATE: January 21, 1994

The area which has historically been referred to as "Unionville" is an unofficial, unincorporated and informal area. Tift County provides the basic services of police protection, fire protection, streets/roads maintenance and the City of Tifton provides water, sewer and natural gas service.

Unionville is an informal community which does not exist in any real fashion.

EXHIBIT-A



**United States
Postal Service**

January 18, 1994

To Whom It May Concern:

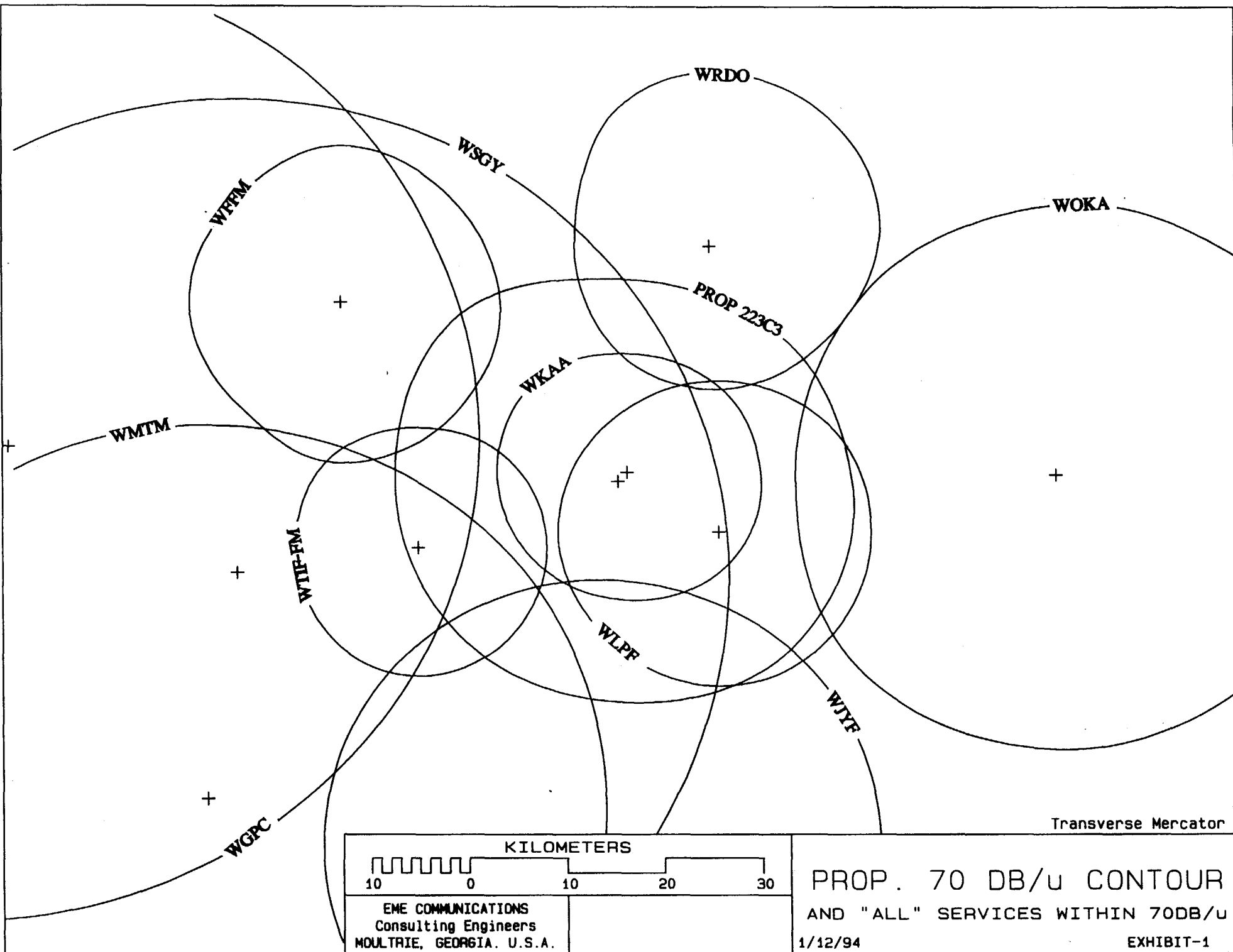
Unionville, Georgia is not considered a separate town or community by the U S Postal Service. Although it is outside the city limits of Tifton, the Tifton water and sewage departments serve this area. It is actually considered by all as part of Tifton and the term Unionville is rarely used anymore. It is shown on the Tifton, Georgia map as part of this city.

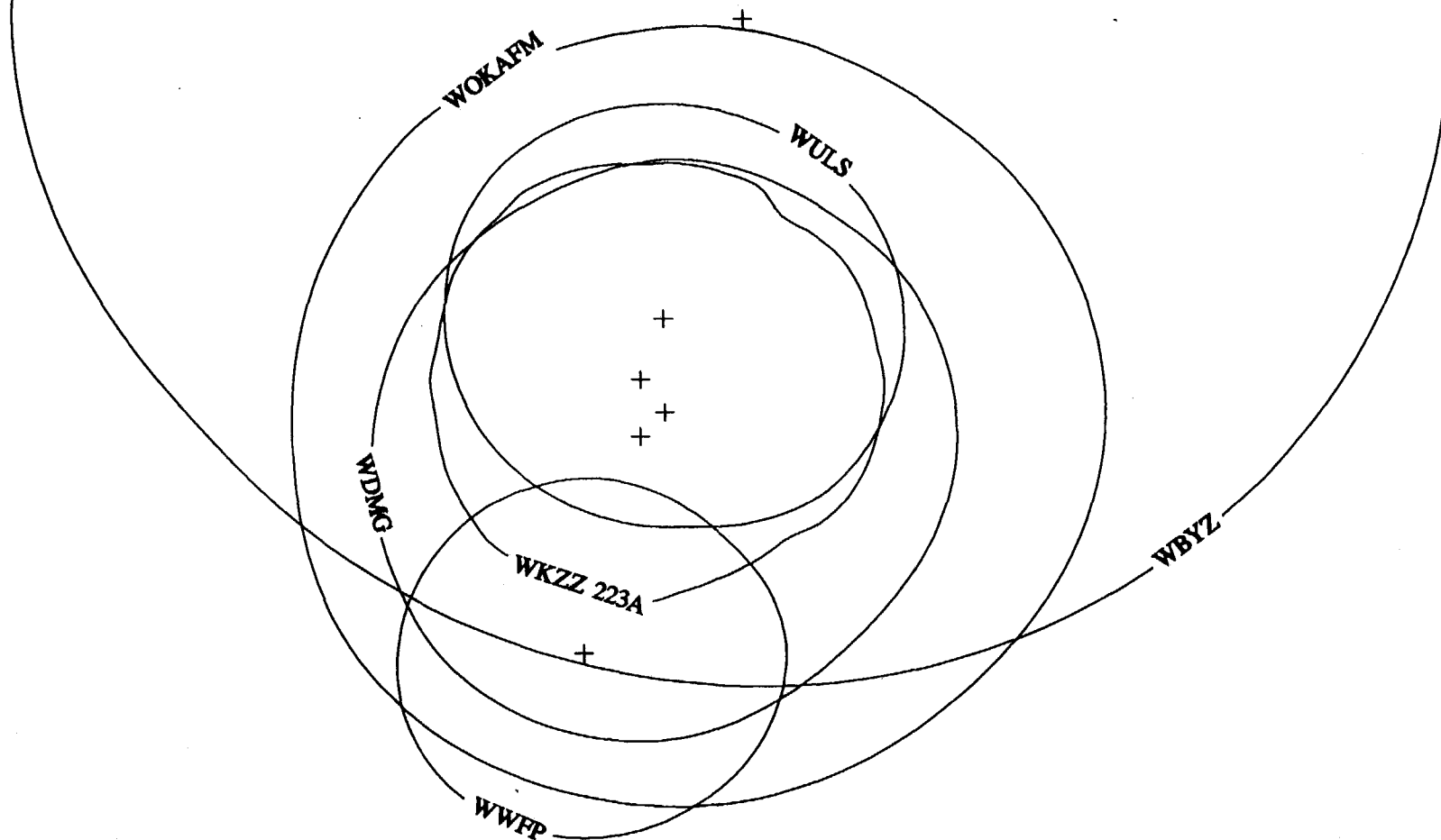
Mail for this area is all addressed to street addresses at Tifton, Georgia 31794 and is delivered by the Tifton city routes. Most people around here do not even know where Unionville is because it is just an old community name that is not used anymore.

Sincerely,

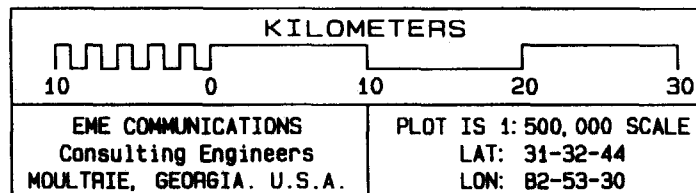
Ben Tyson
Postmaster
Tifton, Georgia 31794-9998

EXHIBIT-B





Transverse Mercator



WKZZ AT DOUGLAS SITE

STATIONS WHICH OVERLAP 70 DB/U

1/17/94

EXHIBIT-2

AFFIDAVIT AND QUALIFICATIONS OF PREPARER


STATE OF GEORGIA)
CITY OF MOULTRIE)
COLQUITT COUNTY)

SS:

CLYDE SCOTT, JR. FIRST BEING DULY SWORN, DEPOSES AND SAYS HE IS A BROADCAST ENGINEER AND PRESIDENT OF EME COMMUNICATIONS. HE HAS BEEN ENGAGED TO PREPARE THE ATTACHED TECHNICAL EXHIBIT


THAT HIS QUALIFICATIONS ARE A MATTER OF RECORD BEFORE THE FEDERAL COMMUNICATIONS COMMISSION AND HAS BEEN ACTIVE IN THE BROADCAST INDUSTRY SINCE 1965 AND IN BROADCAST ENGINEERING SINCE 1972. THAT HE IS THE HOLDER OF GENERAL RADIOTELEPHONE LICNESE NO. PG-6-30133.

THAT THE ATTACHED TECHNICAL EXHIBIT WAS EITHER PREPARED BY HIM OR UNDER HIS DIRECT SUPERVISION. ALL MATERIAL AND EXHIBITS HERETO ARE BELIEVED TO BE TRUE AND CORRECT.



CLYDE SCOTT, JR.
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS
FEBRUARY 14, 1994



Notary Public, Colquitt County, GA
My Commission Expires October 1, 1995

I, Connie Lee Scott, hereby certify that on this 14th day of February, 1994, caused copies of the foregoing "comments" to be mailed via first-class postage prepaid mail to the following:

Secretary
Federal Communications Commission
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Policy And Rules Division
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(Counsel for Orchon Media, Inc)



Connie Lee Scott